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**IN THE DRAWINGS:**

Please substitute the three (3) sheets of drawings submitted herewith containing Figures 3, 4, 5A, 5B, 6A and 6B in place of the originally-filed drawing sheets containing the same Figures.

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**REMARKS**

Claims 1-16 are pending in the application. All claims stand rejected. Claims 1-3 stand rejected under 35 U.S.C. §102 as being anticipated by Schneider, U.S. Patent No. 5,171,185. Claims 7-12 and 14-16 stand rejected under 35 U.S.C. §103 as being obvious in view of Schneider. Finally, claims 4-6 and 13 stand rejected under 35 U.S.C. §103 as being unpatentable over Schneider in view of Hofmann, U.S. Patent No. 5,525,109.

With regard to the drawing objections set forth in paragraph 1 of the Office Action, the Applicant submits herewith substitute drawing sheets for Figures 5 and 6 wherein the enlarged detail has been identified as Figure 5B and the primary figure has been identified as Figure 5A. The same labeling changes have been made to Figure 6A and 6B. The specification has also been amended merely to reflect these label changes. No new matter has been added. A substitute drawing sheet has also been submitted containing Figures 3 and 4 wherein reference numerals 23 and 39 have been indexed by 100 to show the further embodiment of Figure 4. Specification amendments reflecting these reference numeral changes have also been made. Again, no new matter has been added.

With regard to the specification objections set forth in paragraph 3 of the Office Action, page 1, line 23 has been amended to indicate that the assignee of the present invention has been selling tripod joints commonly referred to AAR tripod joints.

The specification objections set forth in paragraph 4 of the Office Action have also been addressed by the foregoing amendments. In particular, a proper antecedent basis has been added in the detailed description portion of the specification for all of the objections noted in paragraphs 4a-4d of the Office Action. Applicant notes that all of these limitations are set forth in the summary of the invention section of the specification but, to overcome the objections, the Applicant has added language commensurate in scope in the detailed description portion of the specification. No new matter has been added.

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By the foregoing amendments, the syntax error noted in paragraph 5 of the Office Action regarding claim 1, line 13, has also been corrected.

The Examiner's comments regarding the rejections under 35 U.S.C. §102 and §103 have been carefully considered by Applicant, and Applicant respectfully submits that the case, as presently amended, is in a condition for allowance. As an initial matter, the Applicant has amended all of the claims to remove reference numerals for purposes of clarity. These amendments were not made for any reasons relating to patentability.

With regard to the rejections under 35 U.S.C. §102 and §103, the Applicant traverses the rejections and submits that neither a *prima facie* case of obviousness nor anticipation has been established. In particular, Applicant has amended claim 1 to clarify that the roller carriers 23, 123 on their outside faces, include stop collars defining the needle contact face and that the roller carriers are axially displaceable in the direction of the roller axis (AR) between the axial securing members to permit translation of the roller carrier during joint articulation. This feature has not been narrowed by the foregoing amendments but, rather, clarified. This language makes it clear to one of skill in the art, when read in conjunction with the specification and figures, that the roller carrier 23, 123 is able to slide along the length of the needle bearing over a distance referred to as the axial displacement clearance (SA) until the stop collars 38, 139 contact the securing members 26, 27. This axial displacement clearance provides for larger operational articulation angles of the joint. None of the prior art references disclose or suggest that the roller carriers comprise stop collars delimiting the needle contact face and which are held with an axial displacement clearance between axial securing members to permit translation of the roller carrier during joint articulation as claimed in the present invention. From this language, it is also clear that the axial securing members cannot be an integral part of the roller carrier itself as disclosed in Schneider. Nevertheless, Applicant has further amended the claim to make it clear that the axial securing members are separate elements from the roller carrier 23, 123.

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In contrast, Schneider discloses a tripod joint which after assembly, provides no significant axial displacement clearance as both the roller carrier 44 and the roller 54 are held in a locking arrangement in direct contact with the roller assembly chamber 26. Because of the locking arrangement of the inner and outer rollers in the device of Schneider, it is clear that Schneider fails to disclose Applicant's claimed feature wherein the roller carrier is able to translate over an axial displacement clearance between axial securing members during joint articulation. For at least this reason, Applicant requests that the rejections under 35 U.S.C. §102 be withdrawn.

With regard to the rejections under 35 U.S.C. §103, the Schneider reference also admittedly fails to disclose Applicant's claimed securing members. To the extent Schneider discloses any securing members whatsoever, they clearly do not permit the roller carrier to translate in any way over the axial displacement clearance. Indeed, the Applicant traverses the suggestion in the Office Action that Schneider discloses Applicant's claimed axial displacement clearance. Any clearance between the roller needle 64 and needle stops 144, 150 of Schneider is present merely for reasons related to assembly and not to improve the articulation range of the joint as in the present invention. Further, no translation of the inner roller over the deminimizers clearance is possible. Applicant therefore requests that the rejections under 35 U.S.C. §103 with respect to claims 7-12 and 14-16 be withdrawn because the Schneider reference fails to disclose or suggest each and every element of Applicant's claimed invention. Furthermore, because the axial displacement clearance is not a concern in the device of Schneider, Applicant traverses the suggestion in the Office Action that the displacement clearance values set forth in claims 7-12 and 14-16 are merely optimized parameters. Simply put, Schneider does not disclose an axial displacement clearance permitting translation of the roller carrier along the needle contact surface in the direction of the roller axis. Thus, no skilled artisan would be motivated to modify the device of Schneider as suggested in the Office Action.

With regard to the rejections under 35 U.S.C. §103 regarding claims 4-6 and 13, Applicant further submits that one of skill in the art would not be motivated to modify the Schneider reference as the Office Action proposes because the Schneider reference

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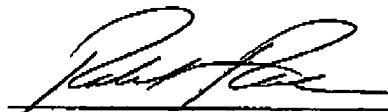
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teaches away from the use of separate axial securing members. Indeed, the entire focus of the Schneider disclosure is to provide a simplified and inexpensive tripod joint that "not only eliminates the snap rings, but also eliminates the costly machining of the snap ring grooves." Col. 2, Ins. 13-15. In light of this, the Office Action fails to set forth any suggestion or motivation to modify the prior art and improperly uses the claimed invention as a template for modifying the prior art. *ACS Hosp. Sys., Inc. v. Montefiore Hosp.*, 732 F.2d 1572, 1577 (Fed. Cir. 1984) ("It is impermissible to use the patent itself as the source of suggestion.") The focus must remain on what the prior art suggested to one of skill in the art at the time that the invention was made, as obviousness cannot be established by combining pieces of prior art absent some "teaching, suggestion, or incentive supporting the combination." *In re Geiger*, 815 F.2d 686, 688 (Fed. Cir. 1987).

The Applicant therefore submits that the present claims are allowable because the prior art relied upon does not disclose or suggest each and every feature of Applicant's claimed invention. Further, no valid reason has been shown as to why one of ordinary skill in the art would modify the Schneider reference to arrive at the claimed invention, particularly since the Schneider reference teaches away from the use of Applicant's claimed axial securing members. For at least these reasons, the rejections under 35 U.S.C. §103 should be withdrawn and a Notice of Allowance indicating the allowability of claims 1-3 and 7-16 should be issued. The Examiner is invited to telephone the Applicant's undersigned attorney at (248) 223-9500 if any unresolved matters remain.

Respectfully Submitted,

**ARTZ & ARTZ P.C.**



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